

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

JOSEPH W. MITCHELL,

Plaintiff(s),

vs.

DORMAN PRODUCTS, INC., et al.,

Defendant(s).

Case No. 2:13-cv-00346-RCJ-NJK

**ORDER DENYING PROPOSED
DISCOVERY PLAN (Docket No. 10)**

Pending before the Court is the Proposed Discovery Plan and Scheduling Order, Docket No. 10, which is hereby **DENIED**. The presumptively reasonable discovery period is 180 days from the date the first defendant answers or appears. Local Rule 26-1(e)(1). The proposed plan seeks a discovery period of approximately 310 days. *See* Stipulated Discovery Plan and Scheduling Order at 2 (seeking 275 days from the date of the Rule 26(f) conference). Although the explanations provided do warrant some additional time for discovery, they do not justify such a lengthy discovery period. Instead, the Court believes a discovery period of 240 days from the date of the answer is more appropriate. The parties shall submit, no later than April 23, 2013, a revised discovery plan based on a discovery cut-off of November 1, 2013.


The Court notes that the discovery plan explains that requests to extend the discovery cut-off date must be made no later than 21 days before that deadline. The Court advises that parties that any requests for extensions to any other deadline set by the scheduling order must be made not later than 21 days before the subject deadline expires. *See* Local Rule 26-4.

Lastly, the Court notes that the parties request an Early Neutral Evaluation session or settlement conference be set. *See* Proposed Discovery Plan and Scheduling Order at 5. While this case does not appear to fall within the list of cases for which Early Neutral Evaluation sessions are

1 held, *see* Local Rule 16-6, the parties may instead request a settlement conference with an
2 unassigned magistrate judge if they desire Court-assisted settlement discussions. Such a request
3 should be made to the district judge.

4 IT IS SO ORDERED.

5 DATED: April 18, 2013



7 NANCY J. KOPPE
8 United States Magistrate Judge